

January 8, 2001

Deputy Secretary William Caton
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, DC 20554

Re: RM 8658, Petition for Rulemaking in the Matter of Section 68.4 (a) of the
Commission's Rules, Hearing Aid-Compatible Telephones, Filed June 5, 1995

Dear Deputy Secretary Caton:

The members of the Council of Organizational Representatives on National Issues Concerning People who are Deaf or Hard of Hearing (COR)¹ are writing in support of Comments submitted by Self Help for Hard of Hearing People (SHHH) and by Alexander Graham Bell Association for the Deaf and Hard of Hearing (AG Bell) in response to the Wireless Action Coalition's (WAC) request that the Federal Communication Commission (FCC) reopen the Petition for Rule Making in the Matter of Section 68.4 (a) of the FCC's Rules, Hearing Aid Compatible Telephones.

COR is a coalition of national organizations committed to improving the lives of individuals who are deaf or hard of hearing. Constituencies of COR organizations provide a variety of services, including technological and telecommunications services; educational programs; medical, audiological, and speech-language pathology assessment and rehabilitation services; information on assistive devices and technology; and general information on other services for deaf and hard of hearing consumers. Among other things, COR serves as a bridge among interested organizations, the general public and the community of people with disabilities on matters concerning deaf or hard of hearing individuals.

COR urges the Commission to revoke the exemption of PCS devices from the Hearing Aid Compatibility Act of 1998.

COR agrees with the assessment that this is an issue of "vital importance" to people who wear hearing aids (SHHH Comments at 2). We also agree that "But for the HAC Act, people with hearing loss would not be able to use regular phones. Manufacturers would not, of their own volition, incorporate Part 68 components into their telephones. All came about as a consequence of federal mandates....If wireless manufacturers are exempt from

: ¹ The following organizations of COR support this position: Alexander Graham Bell Association for the Deaf and Hard of Hearing, American Society for Deaf Children, American Speech-Language-Hearing Association, Convention of American Instructors for the Deaf, National Association of the Deaf, National Court Reporters Association, Registry of Interpreters of the Deaf, Self Help For Hard of Hearing People, The League for the Hard of Hearing, and TDI.

making their handsets hearing aid compatible under the HAC Act, full and equal access will never be achieved to PCS devices by people who use hearing aids” (SHHH Comments at 4). We believe it’s time again for the FCC to intervene. COR is concerned that our constituency is receiving inequitable treatment by an industry that provides people with hearing loss a lesser service at a greater price (AG Bell Comments at 6-7; SHHH Comments at 10). We are concerned that digital phones may be the only option in the near future so that, in fact, our constituency will be faced with having no access to phones without expensive, cumbersome and inconvenient adaptive equipment (AG Bell Comments at 7-8; SHHH Comments at 5-6).

It is distressing to COR members that both Verizon Wireless Comments (Verizon Comments) and the Cellular Telecommunications and Internet Association Comments (CTIA Comments) provide little more than hand wringing over what they present as an insurmountable problem of digital phone interference with hearing aids. Verizon apparently is at such a loss that it tosses responsibility into the lap of hearing aid manufacturers (Verizon Comments at 6) who have worked hard to find a solution (AG Bell Comments at 4; SHHH Comments at 8). In fact, the phone industry appears to be working against the hearing aid industry as it designs smaller and smaller cell phones, some of which are now designed with no working telecoil at all (SHHH Comments at 5).

At the same time, CTIA reports that they are proud of their efforts to create standards that would allow consumers to know just how badly a digital phone would work with their hearing aids and to offer what CTIA themselves indicate is an “interim” solution of adaptive equipment (CTIA at 8). It has taken the industry five years to reach this point. Left on their own, how long will it be before consumers can get a “final answer”?

It begs credulity that an industry that is finding ways to offer applications such as data retrieval, video reception, spreadsheets, word processing, Web browsing, email, streaming audio, and streaming video (AG Bell Comments at 8-9; SHHH Comments at 5; Vickery Comments at 4) cannot find a solution to the problem of interference. This is especially difficult to understand in light of the fact that two consumers, on their own and without the kind of resources phone industry has at its disposal, submitted Comments that offer the beginnings of solutions to that very problem (Vickery Comments at 3-4; George DeVilbiss Comments at 1).

Despite their protestations to the contrary, Verizon and CTIA have clearly shown little willingness or desire to solve these problems on their own. They are neither interested nor concerned that a sizable portion of the population could well be excluded in the very near future from the use of telephones unless they commit to a sizable investment in external adapting equipment. Comments of these groups make it clear that the public interest can only be served if the FCC steps in by revoking the exemption.

As SHHH states, “The bottom line is that hearing aid users are being denied access to an increasingly vital technology. PCS devices are no longer a novelty or a high-end product” (SHHH Comments at 10).

For the above reasons, COR urges, as it did in its December 8, 2000, letter to you, that the exemption for PCS devices from the Hearing Aid Compatibility Act of 1988 be revoked.

Respectfully submitted,

Timothy Creagan, Esquire
Co-Chair, COR
Self Help for Hard of Hearing People
7910 Woodmont Avenue, Suite 1200
Bethesda, MD 20814
301-657-2248

Charles C. Diggs, Ph.D.
Co-Chair, COR
American Speech-Language-Hearing
Association
10801 Rockville Pike
Rockville, MD 20852
301-897-0151